

Hon. Ronald Reinstein, Ret.  
Chair, Supreme Court Commission on Victims in the Courts  
1501 W. Washington, Phoenix, AZ 85007  
602-452-3965

**IN THE SUPREME COURT  
STATE OF ARIZONA**

In the Matter of: )  
PETITION TO CREATE RULE 1.8 )  
AND AMEND RULES 31.13, 31.8 & )  
35.1, RULES OF CRIMINAL )  
PROCEDURE; RULE 111 & 125 )  
RULES OF THE SUPREME COURT,)  
AND RULES 24, 106, & 107, )  
RULES OF PROCEDURE FOR )  
THE JUVENILE COURT )

Supreme Court Rule No.  
R-12-0004

SECOND AMENDED PETITION

Pursuant to Arizona Supreme Court Rule 28, Ronald Reinstein, Chair of the Supreme Court Commission on Victims in the Courts (COVIC), respectfully petitions this Court to review this Second Amended Petition and amend Arizona Rules of Criminal Procedure, the Rules of the Supreme Court and the Rules of Procedure for the Juvenile Court.

Since the original petition was filed, amendments were submitted in late May to address concerns raised in opposition to the original proposal. After the Court's Rules meeting, a series of meetings were held between members of COVIC's workgroup and representatives from the media and juvenile defense bar.

As a result of some concerns raised at those meetings, COVIC has made the following changes to this final petition:

- Although the original proposal included an automatic protection for deceased victims, the Second Amended Petition provides the deceased victim's family with the ability to seek the protection from the court upon request.
- The scope of the offenses for which these rule changes apply impact the most vulnerable victims, accordingly this Second Amended Petition continues to include any offenses committed against a child and has been narrowed to only include violations of the adult criminal code that include sexual assault, attempted sexual assault (A.R.S. §13-1406) or sexual abuse (A.R.S. §13-1404).
- COVIC's workgroup also sought to simplify the petition by recommending the creation of Rule 1.8 in the Rules of Criminal Procedure, which encompasses the changes in one location versus changing five additional rules.
- Finally, should the petition be granted, COVIC requests that the effective date be delayed for at least six months to allow adequate time for the trial courts and justice partners to implement the associated changes required by these new rules.

Although a juvenile defense attorney raised concerns about the limitations the use of initials will have on their ability to conduct research in court databases (i.e. checking for false allegations made by the same victim in prior cases or mitigation-related research), the workgroup does not believe that the new rules will negatively impact the current practices because this rule would only limit the use of a victim's full names in public documents and should not limit their search capabilities in juvenile court databases which may offer limited access to legal counsel.

In summary, COVIC remains firm in the belief that victims should have the right to decide if their names will be used in publicly accessible documents unless the court orders otherwise pursuant to the provisions listed in the proposed rule. This proposed rule change is in keeping with the Arizona Constitution Article 2, § 2.1A(1), that a victim of crime has a right to be treated with fairness, respect and dignity and be free from intimidation, harassment, or abuse throughout the criminal justice process. Additionally, statutes and court rules guaranteeing victim privacy and protection for child victims and victims of sexual offenses have been enacted in many other states across the country, where they have struck the appropriate balance between what information is truly necessary for the public good and the detrimental impact of further victimization and humiliation against innocent persons.

Furthermore, if these amendments are adopted, the impact will be on those cases filed after the effective date and not retroactive.

Therefore, Petitioner requests this court accept the proposed amendments as presented in this Second Amended Petition.

RESPECTFULLY SUBMITTED this 13th day of November, 2012.

By s/s Ronald Reinstein

Hon. Ronald Reinstein, Chair,  
Commission on Victims in the Courts  
1501 W. Washington, Phoenix, AZ 85007  
602-452-3965

## APPENDIX A

(proposed new language is underlined)

### **1. ARIZONA RULES OF CRIMINAL PROCEDURE**

#### **RULE 1.8. SUBSTITUTE VICTIM INFORMATION; PROCEDURE FOR RELEASE OF VICTIM INFORMATION**

- a. **SUBSTITUTE VICTIM INFORMATION. IN ANY CASE IN WHICH THE DEFENDANT IS CHARGED WITH AN OFFENSE INVOLVING SEXUAL ASSAULT, ATTEMPTED SEXUAL ASSAULT (A.R.S. §13-1406) OR SEXUAL ABUSE (A.R.S. §13-1404) OR ANY OFFENSE IN WHICH THE VICTIM WAS A JUVENILE AT THE TIME OF THE OFFENSE, THE STATE SHALL SUBSTITUTE THE VICTIM'S TRUE FULL NAME WITH A VICTIM IDENTIFIER DESIGNATED BY THE PROSECUTING AGENCY UNLESS THE VICTIM CONSENTS TO THE USE OF HIS OR HER NAME.**
1. **IF THE STATE UTILIZES A VICTIM IDENTIFIER IN THE INFORMATION, COMPLAINT, OR INDICTMENT, ANY DOCUMENT FILED WITH THE COURT, INCLUDING PRE-SENTENCE REPORTS, APPELLATE PROCEEDINGS, TRANSCRIPTS AND MOTIONS, SHALL REFER TO THE VICTIM BY VICTIM IDENTIFIER AND NOT REFER TO THE VICTIM BY THE VICTIM'S FULL TRUE FULL NAME UNLESS OTHERWISE ORDERED BY THE COURT.**
  2. **THE PROSECUTING AGENCY SHALL RECORD THE TRUE FULL NAME AND THE VICTIM IDENTIFIER ON A SEPARATE CONFIDENTIAL VICTIM INFORMATION FORM WHICH SHALL BE FILED WITH THE INFORMATION, COMPLAINT, OR INDICTMENT AND MAINTAINED BY THE CLERK AS A CONFIDENTIAL RECORD. THE CONFIDENTIAL VICTIM INFORMATION FORM SHALL ONLY BE AVAILABLE TO THE STATE, VICTIM, DEFENDANT, THEIR ATTORNEYS, COURT PERSONNEL, PROBATION DEPARTMENT, AND ANY PERSON OR AGENCY AUTHORIZED BY COURT ORDER.**
  3. **THE CLERK MAY MAINTAIN THE CONFIDENTIAL VICTIM INFORMATION FORM EITHER IN PAPER OR ELECTRONIC FORMAT. IF THE FORM IS MAINTAINED ELECTRONICALLY, THE CLERK IS AUTHORIZED TO DESTROY ANY PAPER VERSION UNLESS THE COURT ORDERS OTHERWISE.**
  4. **WHENEVER A VICTIM'S TRUE FULL NAME OR OTHER IDENTIFYING INFORMATION HAS CHANGED, THE PROSECUTOR SHALL FILE AN UPDATED CONFIDENTIAL VICTIM INFORMATION FORM.**
  5. **IF ANY COURT RECORD CONTAINS THE VICTIM'S TRUE FULL NAME, THE VICTIM OR THE VICTIM'S ATTORNEY MAY MOVE FOR AN ORDER SEALING THE RECORD OR REPLACING IT WITH A REDACTED VERSION OF THE RECORD.**
  6. **THE VICTIM MAY WAIVE THE REQUIREMENTS OF THIS RULE BY NOTIFYING THE PROSECUTOR'S OFFICE IN WRITING THAT THE VICTIM CONSENTS TO THE USE OR RELEASE OF THE VICTIM'S TRUE FULL NAME IN COURT RECORDS AFTER THE DATE OF THE WAIVER. THE PROSECUTOR'S OFFICE SHALL FILE A NOTICE OF THE WAIVER WITH THE COURT.**
  7. **THIS SECTION DOES NOT APPLY TO ANY VICTIM WHO IS DECEASED.**

**b. PROCEDURE FOR RELEASE OF VICTIM NAME WHEN IDENTIFIER IS USED**

1. REQUEST FOR VICTIM NAME. A PERSON WHO WISHES TO OBTAIN A VICTIM'S TRUE FULL NAME WHEN A VICTIM IDENTIFIER HAS BEEN USED IN COURT RECORDS MAY SUBMIT A WRITTEN REQUEST TO THE PRESIDING JUDGE OR DESIGNEE TO OBTAIN THE INFORMATION. THE COURT WILL NOTIFY THE PARTIES OF ITS RECEIPT OF A REQUEST FOR VICTIM NAME IDENTIFICATION. THE JUDGE WILL PROMPTLY HOLD A HEARING IF THE JUDGE INTENDS TO DENY THE REQUEST OR A PORTION OF THE REQUEST.
2. FACTORS TO BE CONSIDERED. IN DECIDING WHETHER TO APPROVE A REQUEST FOR RELEASE OF THE VICTIM NAME, THE JUDGE CONDUCTING THE PROCEEDING MUST CONSIDER THE FOLLOWING FACTORS:
  - i. THE IMPACT OF RELEASE UPON THE RIGHT OF PRIVACY OF THE VICTIM;
  - ii. THE IMPACT OF RELEASE UPON THE SAFETY AND WELL-BEING OF THE VICTIM;
  - iii. THE TIMELINESS OF THE REQUEST;
  - iv. WHETHER THE PERSON MAKING THE REQUEST IS ENGAGED IN THE DISSEMINATION OF NEWS TO A BROAD COMMUNITY;
  - v. THE IMPACT ON THE ABILITY OF THE NEWS MEDIA TO CONDUCT REASONABLE NEWSGATHERING; AND
  - vi. ANY OTHER FACTOR AFFECTING THE FAIR ADMINISTRATION OF JUSTICE.
3. A JUDGE'S DECISION TO DENY A REQUEST FOR RELEASE OF A VICTIM NAME UNDER THIS RULE IS REVIEWABLE ONLY BY SPECIAL ACTION.

## **Rule 31. Appeal from Superior Court**

### **Rule 31.13. Appellate briefs**

**a. and b.** [no changes]

**c. Contents.**

(1) *Appellant*. The appellant's brief shall include:

(i) A table of contents with page references.

(ii) A table of citations, which shall alphabetically arrange and index the cases, statutes, and other authorities cited, with references to the pages of the brief on which they are cited.

(iii) A statement of the case, indicating briefly the basis of the appellate court's jurisdiction, the nature of the case, the course of the proceedings and the disposition in the court below.

(iv) A statement of facts relevant to the issues presented for review, with appropriate references to the record. The statement shall not contain evidentiary matter unless material to a proper consideration of the issues presented, in which instance a reference shall be made to the record or page of the transcript where such evidence appears. The statement of facts may be combined with the statement of the case.

(v) A statement of the issues presented for review. The statement of an issue presented for review will be deemed to include every subsidiary issue fairly comprised therein.

(vi) An argument which shall contain the contentions of the appellant with respect to the issues presented, and the reasons therefore, with citations to the authorities, statutes and parts of the record relied on. The argument may include a summary. With respect to each contention raised on appeal, the proper standard of review on appeal shall be identified, with citations to relevant authority, at the outset of the discussion of that contention. Citation of authorities shall be to the volume and page number of the official reports and also when possible to the unofficial reports.

(vii) A short conclusion stating the precise relief sought.

(viii) An appendix if desired.

(2) *Appellee*. The appellee's brief shall be of like character and arrangement as that of the appellant except that no statement of the case is required unless the appellee finds the statement presented by the appellant to be insufficient or incorrect.

(3) *Reply Brief*. The reply brief shall be confined to a response to questions of law or fact raised by the appellee's brief.

(4) *Appendix*.

(i) The appellate brief for either party may include an appendix of pertinent statutes, treaties, regulations, rules, and instructions.

(ii) In addition, the appendix to an appellate brief may include extended quotations from cases and authorities where such quotations are required for proper presentation of the issues.

(5) SUBSTITUTE VICTIM INFORMATION. APPELLATE BRIEFS SHALL USE A VICTIM IDENTIFIER, IN PLACE OF THE VICTIM'S NAME IN ANY CASE IN WHICH THE DEFENDANT WAS CHARGED WITH AN OFFENSE INVOLVING SEXUAL ASSAULT, ATTEMPTED SEXUAL ASSAULT (A.R.S. §13-1406) OR SEXUAL ABUSE (A.R.S. §13-1404) AND IN ANY CASE IN WHICH THE VICTIM WAS A JUVENILE AT THE TIME OF THE OFFENSE. FOR PURPOSES OF THIS RULE, "VICTIM IDENTIFIER" MEANS A VICTIM'S INITIALS, A PSEUDONYM, OR OTHER SUBSTITUTE FOR THE VICTIM'S TRUE FULL NAME.

**d. through f.** [no changes]

## **Rule 31.8. The record on appeal; transcript; duty of the authorized transcriber**

### **a. Composition of the Record on Appeal; Additions; Deletions.**

(1) *Composition*. The record on appeal to the appellate court shall be a certified transcript, all documents, papers, books and photographs introduced into evidence, and all pleadings and documents in the file-- (other than subpoenas and praecipes not specifically designated), and if authorized by the appellate court, an electronic recording of the proceeding.

2. SUBSTITUTE VICTIM INFORMATION. TRANSCRIPTS SHALL USE A VICTIM IDENTIFIER, IN PLACE OF THE VICTIM'S NAME IN ANY CASE IN WHICH THE DEFENDANT WAS CHARGED WITH AN OFFENSE INVOLVING SEXUAL ASSAULT, ATTEMPTED SEXUAL ASSAULT (A.R.S. §13-1406) OR SEXUAL ABUSE (A.R.S. §13-1404) AND IN ANY CASE IN WHICH THE VICTIM WAS A JUVENILE AT THE TIME OF THE OFFENSE.

FOR PURPOSES OF THIS RULE, “VICTIM IDENTIFIER” MEANS A VICTIM’S INITIALS, A PSEUDONYM, OR OTHER SUBSTITUTE FOR THE VICTIM’S TRUE FULL NAME.

*(2-3) Additions and deletions.*

(i) By the Appellant. Within 5 days after the filing of the notice of appeal the appellant may file with the clerk of the trial court a designation to include in the record the subpoenas and praecipes appellant deems necessary, and to delete from the record all the documents, papers, books and photographs he or she deems unnecessary.

(ii) By the Appellee. Within 12 days after the filing of the notice of appeal the appellee may file with the clerk of the trial court a designation to include in the record those subpoenas and praecipes appellee deems necessary, and any document, paper, book or photograph deleted by the appellant.

(iii) By the Appellate Court. An exhibit other than those listed in Section (a)(1) including the excised portion, if any, of a pre-sentence, diagnostic or mental health report may be added to the record on appeal only by order of the appellate court. Such an order may be made at any time.

**b. through h.** [No changes]

## **2. Rules of the Supreme Court of Arizona**

**Rule 111. Publication of Opinions of the Supreme Court and Court of Appeals; Depublication**  
**a. through h.** [No changes]

**(i) SUBSTITUTE VICTIM INFORMATION.** ALL OPINIONS, MEMORANDUM DECISIONS, AND ORDERS SHALL USE A VICTIM IDENTIFIER, AS DEEMED APPROPRIATE BY THE COURT, IN PLACE OF THE VICTIM’S NAME IN ANY CASE CONCERNING A DEFENDANT OR A JUVENILE DELINQUENT’S ACT INVOLVING SEXUAL ASSAULT, ATTEMPTED SEXUAL ASSAULT (A.R.S. §13-1406) OR SEXUAL ABUSE (A.R.S. §13-1404) AND IN ANY CASE CONCERNING A VICTIM WHO WAS A JUVENILE AT THE TIME OF THE OFFENSE.

**(j) THE VICTIM MAY WAIVE THE REQUIREMENTS OF THIS RULE BY NOTIFYING THE COURT IN WRITING, IN WHICH THE VICTIM CONSENTS TO THE USE OR RELEASE OF THEIR TRUE FULL NAME IN COURT RECORDS.**

**Rule 125. Defining Minute Entry, Order, Ruling, and Notice; Party Responsibility**

**a. through e.** [No changes]

**(f) SUBSTITUTE VICTIM INFORMATION.** MINUTE ENTRIES AND COURT ORDERS SHALL USE A VICTIM IDENTIFIER, IN PLACE OF THE VICTIM’S NAME IN ANY CASE CONCERNING A DEFENDANT OR A JUVENILE DELINQUENT’S ACT INVOLVING SEXUAL ASSAULT, ATTEMPTED SEXUAL ASSAULT (A.R.S. §13-1406) OR SEXUAL ABUSE (A.R.S. §13-1404) AND IN ANY CASE IN WHICH THE VICTIM WAS A JUVENILE AT THE TIME OF THE OFFENSE. FOR PURPOSES OF THIS RULE, “VICTIM IDENTIFIER” MEANS A VICTIM’S INITIALS, A PSEUDONYM, OR OTHER SUBSTITUTE FOR THE VICTIM’S TRUE FULL NAME. THE VICTIM MAY WAIVE THE REQUIREMENTS OF THIS RULE BY NOTIFYING THE COURT IN WRITING, IN WHICH THE VICTIM CONSENTS TO THE USE OR RELEASE OF THEIR TRUE FULL NAME IN COURT RECORDS.



### **3. Rules of Procedure for the Juvenile Court**

#### **Rule 24. Content of Petition**

**A. Content.** A petition alleging delinquent or incorrigible acts shall be in writing, under oath, captioned: "In the Matter of\_\_\_\_, a person under the age of 18 years," and may be upon information and belief and filed by the prosecutor. It shall set forth:

1. The facts, in concise language with reasonable particularity as to the time, date, place and manner of the alleged acts of the juvenile and the law or standard of conduct allegedly violated by such acts, which bring the juvenile within the jurisdiction of the court;
2. The name, age, gender and address of the juvenile named in the petition;
3. The names and addresses, if known, of the parent, guardian or custodian of the juvenile or of the juvenile's spouse, if any; and
4. The place of detention and the date and time the juvenile was taken into custody, if the juvenile in custody.

**B. Amendment to Petition.** A petition may be amended by order of the court in response to the motion of any party at any time before adjudication, provided the parties are granted sufficient time to meet the new allegations. A copy of the motion shall be provided to the parties pursuant to Rule 15.

C. SUBSTITUTE VICTIM INFORMATION. IN ANY CASE IN WHICH A DELINQUENT ACT IS ALLEGED AGAINST A JUVENILE INVOLVING A SEXUAL ASSAULT, ATTEMPTED SEXUAL ASSAULT (A.R.S. §13-1406) OR SEXUAL ABUSE (A.R.S. §13-1404) AND IN ANY OFFENSE IN WHICH THE VICTIM WAS A JUVENILE AT THE TIME OF THE OFFENSE, THE STATE SHALL SUBSTITUTE THE VICTIM'S TRUE FULL NAME WITH A VICTIM IDENTIFIER DESIGNATED BY THE PROSECUTING AGENCY UNLESS THE VICTIM CONSENTS TO THE USE OF HIS OR HER NAME.

1. IF THE STATE UTILIZES A VICTIM IDENTIFIER IN THE PETITION, ANY DOCUMENT FILED WITH THE COURT, INCLUDING PRE-ADJUDICATION REPORTS, APPELLATE PROCEEDINGS, MOTIONS OR TRANSCRIPTS, SHALL REFER TO THE VICTIM BY VICTIM IDENTIFIER AND NOT REFER TO THE VICTIM BY THE VICTIM'S FULL TRUE FULL NAME UNLESS OTHERWISE ORDERED BY THE COURT.
2. THE PROSECUTING AGENCY SHALL RECORD THE TRUE FULL NAME AND THE VICTIM IDENTIFIER ON A SEPARATE CONFIDENTIAL VICTIM INFORMATION FORM WHICH SHALL BE FILED WITH THE PETITION AND MAINTAINED BY THE CLERK AS A CONFIDENTIAL RECORD THE CONFIDENTIAL VICTIM INFORMATION FORM SHALL ONLY BE AVAILABLE TO THE STATE, VICTIM, DEFENDANT, THEIR ATTORNEYS, GUARDIAN AD LITEM, COURT PERSONNEL, PROBATION DEPARTMENT, AND ANY PERSON OR AGENCY AUTHORIZED BY COURT ORDER.
3. THE CLERK MAY MAINTAIN THE CONFIDENTIAL VICTIM INFORMATION FORM EITHER IN PAPER OR ELECTRONIC FORMAT. IF THE FORM IS MAINTAINED ELECTRONICALLY, THE CLERK IS AUTHORIZED TO DESTROY ANY PAPER VERSION UNLESS THE COURT ORDERS OTHERWISE.

4. WHENEVER A VICTIM'S TRUE FULL NAME OR OTHER IDENTIFYING INFORMATION HAS CHANGED, THE PROSECUTOR SHALL FILE AN UPDATED CONFIDENTIAL VICTIM INFORMATION FORM.
5. IF ANY COURT RECORD CONTAINS THE VICTIM'S TRUE FULL NAME, THE VICTIM OR THE VICTIM'S ATTORNEY MAY MOVE FOR AN ORDER SEALING THE RECORD OR REPLACING IT WITH A REDACTED VERSION OF THE RECORD.
6. THE VICTIM MAY WAIVE THE REQUIREMENTS OF THIS RULE BY NOTIFYING THE PROSECUTOR'S OFFICE IN WRITING THAT THE VICTIM CONSENTS TO THE USE OR RELEASE OF THE VICTIM'S TRUE FULL NAME IN COURT RECORDS AFTER THE DATE OF THE WAIVER. THE PROSECUTOR'S OFFICE SHALL FILE A NOTICE OF THE WAIVER WITH THE COURT.
7. THIS SECTION DOES NOT APPLY TO ANY VICTIM WHO IS DECEASED.

**D. PROCEDURE FOR RELEASE OF VICTIM NAME WHEN IDENTIFIER IS USED**

1. REQUEST FOR VICTIM NAME. A PERSON WHO WISHES TO OBTAIN A VICTIM'S TRUE FULL NAME WHEN A VICTIM IDENTIFIER HAS BEEN USED IN COURT RECORDS MAY SUBMIT A WRITTEN REQUEST TO THE PRESIDING JUDGE OR DESIGNEE TO OBTAIN THE INFORMATION. THE COURT WILL NOTIFY THE PARTIES OF ITS RECEIPT OF A REQUEST FOR VICTIM NAME IDENTIFICATION. THE JUDGE WILL PROMPTLY HOLD A HEARING IF THE JUDGE INTENDS TO DENY THE REQUEST OR A PORTION OF THE REQUEST.
2. FACTORS TO BE CONSIDERED. IN DECIDING WHETHER TO APPROVE A REQUEST FOR RELEASE OF THE VICTIM NAME, THE JUDGE CONDUCTING THE PROCEEDING MUST CONSIDER THE FOLLOWING FACTORS:
  - i. THE IMPACT OF RELEASE UPON THE RIGHT OF PRIVACY OF THE VICTIM;
  - ii. THE IMPACT OF RELEASE UPON THE SAFETY AND WELL-BEING OF THE VICTIM;
  - iii. THE TIMELINESS OF THE REQUEST;
  - iv. WHETHER THE PERSON MAKING THE REQUEST IS ENGAGED IN THE DISSEMINATION OF NEWS TO A BROAD COMMUNITY;
  - v. THE IMPACT ON THE ABILITY OF THE NEWS MEDIA TO CONDUCT REASONABLE NEWSGATHERING; AND
  - vi. ANY OTHER FACTOR AFFECTING THE FAIR ADMINISTRATION OF JUSTICE.
3. A JUDGE'S DECISION TO DENY A REQUEST FOR RELEASE OF A VICTIM NAME UNDER THIS RULE IS REVIEWABLE ONLY BY SPECIAL ACTION.

**Rule 106. Briefing, Consideration and Disposition in the Court of Appeals**

(A) ARCAP 13 and 14 shall apply in appeals from final orders of the juvenile court, except that (1) briefs shall be stapled or otherwise securely fastened in the upper left corner and need not have covers;

(2) a principal brief prepared in a proportionately spaced typeface may not exceed 7,000 words, and a reply brief so prepared may not exceed 3,500 words; and

(3) a principal brief prepared in a monospaced typeface may not exceed 20 pages, and a reply brief so prepared may not exceed 10 pages.

The word and page limits specified in this subsection do not include the table of contents, table of citations, certificate of service, certificate of compliance, and any appendix. The appellate court may strike a brief that does not substantially conform to the requirements of this rule.

**(B)** ARCAP 15 shall apply in appeals from final orders of the juvenile court, except that

- (1) appellant's opening brief shall be filed with the clerk of the court of appeals within 20 days after the mailing of the notice required by Rule 105(e);
- (2) each appellee shall file an answering brief with the clerk of the court of appeals within 20 days after service of the appellant's opening brief;
- (3) appellant may file a reply brief within 10 days after service of appellee's answering brief, or appellant may file a notice stating that no reply brief will be filed; and
- (4) the appeal will be deemed "at issue" upon the filing of the reply brief, upon the filing of a notice that no reply brief will be filed, or 10 days after service of the answering brief, whichever first occurs.

**(C)** ARCAP 16 shall apply in appeals from final orders of the juvenile court, except that briefs amicus curiae shall be stapled or otherwise securely fastened in the upper left corner and need not have covers. A brief amicus curiae shall not exceed 6,000 words if prepared in a proportionately spaced typeface or 18 pages if prepared in a monospaced typeface, exclusive of pages containing the table of contents, the table of citations, certificate of service, certificate of compliance, and any appendix.

**(D)** ARCAP 19 shall apply in appeals from final orders of the juvenile court, except that a party's petition for transfer of the appeal to the supreme court shall be filed on or before the earlier of the date the reply brief is due or filed.

**(E)** APPELLATE BRIEFS SHALL USE A VICTIM IDENTIFIER, AS DEEMED APPROPRIATE BY THE COURT, IN PLACE OF THE VICTIM'S NAME IN ANY CASE IN WHICH A DELINQUENT ACT IS ALLEGED AGAINST A JUVENILE INVOLVING SEXUAL ASSAULT, ATTEMPTED SEXUAL ASSAULT (A.R.S. §13-1406) OR SEXUAL ABUSE (A.R.S. §13-1404) AND IN ANY CASE IN WHICH THE VICTIM WAS A JUVENILE AT THE TIME OF THE OFFENSE. FOR PURPOSES OF THIS RULE, "VICTIM IDENTIFIER" MEANS A VICTIM'S INITIALS, A PSEUDONYM, OR OTHER SUBSTITUTE FOR THE VICTIM'S TRUE FULL NAME.

**(E) through (G) [renumber]**

### **Rule 107. Petition for Review**

**(A)** Any party may, within 30 days after the clerk of the court of appeals has given notice that a decision or final order disposing of the appeal has been rendered, file with the clerk of the court of appeals a petition for review of the case by the supreme court. No motion for reconsideration in the court of appeals shall be permitted. A cross-petition for review may be filed with the clerk of the supreme court within 15 days after service of a petition for review.

**(B)** The petition for review and cross-petition for review shall be bound or fastened and shall comply with ARCAP 6(c). The parties shall be designated as in the court of appeals.

A copy of the decision of the court of appeals shall be attached to the petition. Except by permission of the court, (1) a petition for review or cross-petition prepared in a proportionately spaced typeface may not exceed 3,500 words, including footnotes and quotations; (2) a petition for review or cross-petition prepared in a monospaced typeface may not exceed 10 pages and may not exceed an average of 350 words per page, including footnotes and quotations; and (3) a handwritten petition for review or cross-petition may not exceed 12 pages.

The petition or cross-petition shall be accompanied by a certificate of compliance that states either (1) that the petition or cross-petition uses a proportionately spaced typeface of 14 points or more, is double spaced using a roman font, and contains [blank] words, or (2) that the petition or cross-petition uses a monospaced typeface of no more than 10.5 characters per inch and does not exceed 10 pages, or (3) that the petition or cross-petition was handwritten and does not exceed 12 pages.

The petition for review or cross-petition shall contain concise statements of the following:

1. The issues that were decided by the court of appeals and that the petitioner wishes to present to the supreme court for review. The petitioner shall also list, separately and without argument, any additional issues that were presented to but not decided by the court of appeals and may need to be decided if review is granted.

2. The facts material to a consideration of the issues presented to the supreme court for review with appropriate references to the record on appeal. No evidentiary matter shall be included unless material to a proper consideration of the issues presented, in which instance a reference shall be made to the record or page of the certified transcript where such evidence appears.

3. The reasons why the petition should be granted, which may include, among others, the fact that no Arizona decision controls the point of law in question, that a decision of the supreme court should be overruled or qualified, that conflicting decisions have been rendered by the court of appeals, or that important issues of law have been incorrectly decided.

4. PETITIONS FOR REVIEW SHALL USE A VICTIM IDENTIFIER IN PLACE OF THE VICTIM'S NAME IN ANY CASE IN WHICH A DELINQUENT ACT IS ALLEGED AGAINST A JUVENILE INVOLVING A SEXUAL ASSAULT, ATTEMPTED SEXUAL ASSAULT (A.R.S. §13-1406) OR SEXUAL ABUSE (A.R.S. §13-1404) AND IN ANY CASE IN WHICH THE VICTIM WAS A JUVENILE AT THE TIME OF THE OFFENSE. FOR PURPOSES OF THIS RULE, "VICTIM IDENTIFIER" MEANS A VICTIM'S INITIALS, A PSEUDONYM, OR OTHER SUBSTITUTE FOR THE VICTIM'S TRUE FULL NAME.

~~4.~~ 5. If the record on appeal contains documents that are necessary for a determination of the issues raised by the petition or cross-petition, the petitioner or cross-petitioner shall file, simultaneously with a copy of the petition or cross-petition, an appendix that contains only those documents. If the appendices exceed 15 pages in length, they shall be bound or fastened together separately from the petition and attached the copy of the decision of the court of appeals or from the cross-petition. An original and two copies of any separately bound or fastened appendices shall be filed with the petition or cross-petition.

The clerk of the appellate court may in his or her discretion return to the petitioner or cross-petitioner any petition for review or cross-petition for review presented for filing that does not substantially comply with this rule. The clerk of the appellate court shall include with the returned petition written instructions to the petitioner or cross-petitioner to file a proper petition or cross-petition within 30 days from the date on which the clerk of the appellate court mails the written instructions to the petitioner or cross-petitioner.

**(C) through (J)** [no changes]

## IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

COUNTY OF \_\_\_\_\_

THE STATE OF ARIZONA,                    )  
   )  
   Plaintiff,    )  
   )  
   vs.                    )  
   )  
   )  
   \_\_\_\_\_,                    )  
   )  
   Defendant/Juvenile    )  
 \_\_\_\_\_)\_\_\_\_\_

Case No. \_\_\_\_\_

CONFIDENTIAL VICTIM  
INFORMATION FORM

Victim True Full Name: \_\_\_\_\_

Victim Identifier: (initials, minor relative, minor relative #2, pseudonym)

\_\_\_\_\_

Victim's Attorney, if any:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**This confidential information form will not be made part of the Court's public record.**